

JUN 3 0 2008

Clerk, U.S. District and
Bankruptcy CourtsUNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ERIC CROCKETT,

Plaintiff,

v.

JAMES PEAKE, Secretary,
Department of Veterans Affairs,

Defendant.

Civil Action No.

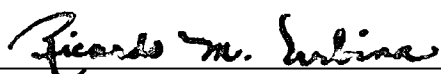
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MEMORANDUM OPINION

This matter is before the Court upon consideration of plaintiff's application to proceed *in forma pauperis* and his *pro se* complaint. The application will be granted, and the complaint will be dismissed.

Plaintiff brings this action against the Secretary of Veterans Affairs seeking judicial review of an unspecified agency decision. Because plaintiff relies on 38 C.F.R. § 3.700 as a basis for this Court's jurisdiction, the Court presumes that the agency decision at issue pertains to the award of pension, compensation, or retirement pay. Generally, a federal district court has no authority to review the agency's decision regarding veterans benefits. *See* 38 U.S.C. § 511; *Price v. United States*, 228 F.3d 420, 421 (D.C. Cir. 2000) (per curiam), *cert. denied*, 534 U.S. 903 (2001) (the Veterans' Benefits Act of 1957 "precludes judicial review in Article III courts of VA decisions affecting the provision of veterans' benefits"). Accordingly, the Court will dismiss this action without prejudice. An Order consistent with this Memorandum Opinion will be issued separately on this same date.

DATE: 6/20/2008


United States District Judge